

**DEPARTMENT OF EDUCATION  
SPECIAL EDUCATION PROGRAMS  
South Dakota School for the Blind and Visually Impaired: Aberdeen, South Dakota  
Accountability Review - Monitoring Report 2012-2013**

**Team Members:** Rhonda Zinter, Team Leader; Donna Huber and Rita Pettigrew Education Specialists; Cindy Kirschman, Transition Liaison; Angela Boddicker, Special Education Programs

**Dates of On Site Visit:** February 6, 2013

**Date of Report:** February 21, 2013

**All non-compliance must be corrected within 1 year of this report date.**

**Date Closed:**

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**Program monitoring and evaluation.**

In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, Special Education Programs (SEP) of the Division of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations. The department shall ensure:

- (1) That the requirements of this article are carried out;
- (2) That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Native American children operated or funded by the Secretary of the Interior:
  - (a) Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and
  - (b) Meets the educational standards of the state education agency, including the requirements of this article; and
- (3) In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met. (Reference- ARSD 24:05:20:18.)

**State monitoring--Quantifiable indicators and priority areas.**

The department shall monitor school districts using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

- (1) Provision of Free Appropriate Public Education (FAPE) in the least restrictive environment;
  - (2) Department exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in this article and article 24:14; and
  - (3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. (Reference-ARSD 24:05:20:18:02.)
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**State enforcement -- Determinations.**

On an annual basis, based on local district performance data, information obtained through monitoring visits, and other information available, the department shall determine whether each school district meets the requirements and purposes of Part B of the IDEA...

Based upon the information obtained through monitoring visits, and any other public information made available, Special Education Programs of the Division of Educational Services and Support determines if the agency, institution, or organization responsible for carrying out special education programs in the state:

- Meets the requirements and purposes of Part B of the Act;
- Needs assistance in implementing the requirements of Part B of the Act'
- Needs intervention in implementing the requirements of Part B of the Act; or
- Needs substantial intervention in implementing the requirements of Part B of the Act. (Reference-ARSD 24:05:20:23.04.)

**Deficiency correction procedures.**

The department shall require local education agencies to correct deficiencies in program operations that are identified through monitoring as soon as possible, but not later than one year from written identification of the deficiency. The department shall order agencies to take corrective actions and to submit a plan for achieving and documenting full compliance. (Reference-ARSD 24:05:20:20.)

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**ARSD: 24:05:25:03.04. Evaluation procedures -- Notice.** The school district shall provide notice to the parents of a child with a disability, in accordance with this article, that describes any evaluation procedures the district proposes to conduct.

**Corrective Action:**

Through a review of student records and interview, the monitoring team noted a prior notice for consent for evaluation included an articulation assessment. A standardized articulation assessment was not administered as part of the evaluation process.			
<b>Student:</b>	<b>Required Action:</b>	<b>Data To Be Submitted for Prong 1:</b>	<b>Data To Be Submitted for Prong 2:</b>
<p>Student #</p> <p>1: File missing a formal articulation assessment.</p>	<p>Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.</p> <p><b>Activity/Procedure:</b></p> <p>Training will be provided to SDSBVI in the area of evaluation procedures.</p>	<p>1. The agency must review and provide a written statement of their current policy/procedure and practice regarding this issue.</p>	<p>The agency will collect and submit to SEP the following data:</p> <ol style="list-style-type: none"> <li>1. New Prior Notice for Evaluation</li> <li>2. New Evaluation Report</li> <li>3. New Determination of Eligibility Document</li> </ol>
		<b>Timeline for Completion:</b> <b>April 30, 2013</b>	<b>Timeline for Completion:</b> <b>May 30, 2013</b>

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**ARSD: 24:05:25:03.04. Evaluation procedures -- Notice.** The school district shall provide notice to the parents of a child with a disability, in accordance with this article, that describes any evaluation procedures the district proposes to conduct.

**Corrective Action:**

Through a review of student records and interview, the monitoring team noted a prior notice for consent for evaluation in which audiological and developmental assessments were not listed. However, audiological and developmental assessments were administered and used to determine eligibility.

<b>Student:</b>	<b>Required Action:</b>	<b>Data To Be Submitted for Prong 1:</b>	<b>Data To Be Submitted for Prong 2:</b>
<p>Student #</p> <p>2: Prior notice for evaluation missing audiological and developmental assessments.</p>	<p>Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.</p> <p><b>Activity/Procedure:</b> Training will be provided to SDSBVI in the area of evaluation procedures.</p>	<p>1. The agency must review and provide a written statement of their current policy/procedure and practice regarding this issue.</p>	<p>The agency will collect and submit to SEP the following data:</p> <ol style="list-style-type: none"> <li>1. New Prior Notice for Evaluation</li> <li>2. New Evaluation Report</li> <li>3. New Determination of Eligibility Document</li> </ol>
		<b>Timeline for Completion:</b> <b>April 30, 2013</b>	<b>Timeline for Completion:</b> <b>May 30, 2013</b>

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**ARSD: 24:05:25:04. Evaluation procedures -- General.** School districts shall ensure, at a minimum, that evaluation procedures include the following:

(7) The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities

**Corrective Action:**

Through a review of student records and interview, the monitoring team noted a Determination of Eligibility Form did not include a general intelligence test.

<b>Student:</b>	<b>Required Action:</b>	<b>Data To Be Submitted for Prong 1:</b>	<b>Data To Be Submitted for Prong 2:</b>
<p>Student #</p> <p>3 and 4: Student's Determination of Eligibility Form did not include a general intelligence assessment.</p>	<p>Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.</p> <p><b>Activity/Procedure:</b> Training will be provided to SDSBVI in the area of evaluation procedures.</p>	<p>1. The agency must review and provide a written statement of their current policy/procedure and practice regarding this issue.</p>	<p>The agency will collect and submit to SEP the following data:</p> <ol style="list-style-type: none"> <li>1. New Prior Notice for Evaluation</li> <li>2. New Evaluation Report</li> <li>3. New Determination</li> </ol>

			of Eligibility Document
		<b>Timeline for Completion:</b> <b>April 30, 2013</b>	<b>Timeline for Completion:</b> <b>May 30, 2013</b>

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**ARSD: 24:05:25:04. Evaluation procedures -- General.** School districts shall ensure, at a minimum, that evaluation procedures include the following:

(7) The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities

**Corrective Action:**

Through a review of student records and interview, the monitoring team noted a Determination of Eligibility Form did not include an adaptive assessment..			
<b>Student:</b>	<b>Required Action:</b>	<b>Data To Be Submitted for Prong 1:</b>	<b>Data To Be Submitted for Prong 2:</b>
Student # 6: Student's Determination of Eligibility Form did not include an adaptive assessment.	Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance. <b>Activity/Procedure:</b> Training will be provided to SDSBVI in the area of evaluation procedures.	1. The agency must review and provide a written statement of their current policy/procedure and practice regarding this issue.	The agency will collect and submit to SEP the following data:  1. New Prior Notice for Evaluation 2. New Evaluation Report 3. New Determination of Eligibility Document
		<b>Timeline for Completion:</b> <b>April 30, 2013</b>	<b>Timeline for Completion:</b> <b>May 30, 2013</b>

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**ARSD: 24:05:25:04. Evaluation procedures -- General.** School districts shall ensure, at a minimum, that evaluation procedures include the following:

(7) The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities

**Corrective Action:**

Through a review of student records and interview, the monitoring team noted a Determination of Eligibility Form did not include academic assessment.			
<b>Student:</b>	<b>Required Action:</b>	<b>Data To Be Submitted for</b>	<b>Data To Be Submitted for</b>

		<b>Prong 1:</b>	<b>Prong 2:</b>
<p>Student #</p> <p>5: Student's Determination of Eligibility Form did not include an academic assessment.</p>	<p>Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.</p> <p><b>Activity/Procedure:</b></p> <p>Training will be provided to SDSBVI in the area of evaluation procedures.</p>	<p>1. The agency must review and provide a written statement of their current policy/procedure and practice regarding this issue.</p>	<p>The agency will collect and submit to SEP the following data:</p> <ol style="list-style-type: none"> <li>1. New Prior Notice for Evaluation</li> <li>2. New Evaluation Report</li> <li>3. New Determination of Eligibility Document</li> </ol>
		<b>Timeline for Completion:</b> <b>April 30, 2013</b>	<b>Timeline for Completion:</b> <b>May 30, 2013</b>

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**ARSD: 24:05:27:01.03. Content of individualized education program.** Each student's individualized education program shall include:

- (2) A statement of measurable annual goals, including academic and functional goals, designed to:
- (a) Meet the student's needs that result from the student's disability to enable the student to be involved in and progress in the general education curriculum; and
  - (b) Meet each of the student's other educational needs that result from the student's disability;

**Corrective Action:**

Through a review of student records and interview, the monitoring team noted that the student's present levels of performance indicated academic needs for reading and math. The goals for the student did not include goals for reading and math.			
<b>Student:</b>	<b>Required Action:</b>	<b>Data To Be Submitted for Prong 1:</b>	<b>Data To Be Submitted for Prong 2:</b>
<p>Student #</p> <p>6: Student IEP is missing goals in the academic need areas of math and reading.</p>	<p>Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.</p> <p><b>Activity/Procedure:</b></p> <p>Training will be provided to SDSBVI in the area of IEP content.</p>	<p>The agency must review and provide a written statement of their current policy/procedure and practice regarding this issue.</p>	<p>The agency will collect and submit to SEP the following data:</p> <ol style="list-style-type: none"> <li>1. New Meeting Notice</li> <li>2. New IEP</li> <li>3. New Prior Notice</li> </ol>

	<b>Timeline for Completion:</b> <b>April 30, 2013</b>	<b>Timeline for Completion:</b> <b>May 30, 2013</b>
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**ARSD: 24:05:27:01.03. Content of individualized education program.** Each student's individualized education program shall include:

- (2) A statement of measurable annual goals, including academic and functional goals, designed to:
  - (a) Meet the student's needs that result from the student's disability to enable the student to be involved in and progress in the general education curriculum; and
  - (b) Meet each of the student's other educational needs that result from the student's disability;

**Corrective Action:**

Through a review of student records and interview, the monitoring team noted that the student's present levels of performance indicated an academic need for math. The goals for the student did not include a goal for math.			
<b>Student:</b>	<b>Required Action:</b>	<b>Data To Be Submitted for Prong 1:</b>	<b>Data To Be Submitted for Prong 2:</b>
Student # 3 and 4: Student IEP is missing a goal in the academic need area of math.	Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance. <b>Activity/Procedure:</b> Training will be provided to SDSBVI in the area of IEP content.	The agency must review and provide a written statement of their current policy/procedure and practice regarding this issue.	The agency will collect and submit to SEP the following data:  1.New Meeting Notice 2.New IEP 3.New Prior Notice
		<b>Timeline for Completion:</b> <b>April 30, 2013</b>	<b>Timeline for Completion:</b> <b>May 30, 2013</b>

**ARSD: 24:05:27:01.03. Content of individualized education program.** Each student's individualized education program shall include:

- (3) A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided to enable the student:
  - (a) To advance appropriately toward attaining the annual goals;
  - (b) To be involved and make progress in the general education curriculum in accordance with this section and to participate in extracurricular and other nonacademic activities; and
  - (c) To be educated and participate with other students with disabilities and nondisabled students in the activities described in this section;

**Corrective Action:**

Through a review of student records and interview, the monitoring team noted that the student's IEP did not reflect special education services in academic need areas.			
<b>Student:</b>	<b>Required Action:</b>	<b>Data To Be Submitted for Prong 1:</b>	<b>Data To Be Submitted for Prong 2:</b>
Student # 1, 2, 3, 4, 5, 6 and 7: Student's IEP is missing special education services in the academic need areas.	Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance. <b>Activity/Procedure:</b> Training will be provided to SDSBVI in the area of IEP content.	The agency must review and provide a written statement of their current policy/procedure and practice regarding this issue.	The agency will collect and submit to SEP the following data:  1.New Meeting Notice 2.New IEP 3.New Prior Notice
		<b>Timeline for Completion:</b> <b>April 30, 2013</b>	<b>Timeline for Completion:</b> <b>May 30, 2013</b>

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**ARSD: 24:05:27:01.03. Content of individualized education program.** Each student's individualized education program shall include:

(1) A statement of the student's present levels of academic achievement and functional performance, including:

(a) How the student's disability affects the student's involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled students); or

(b) For preschool student, as appropriate, how the disability affects the student's participation in appropriate activities;

**Corrective Action:**

Through a review of student records and interview, the monitoring team noted that the student's IEP did not reflect present levels of performance in all areas of need.			
<b>Student:</b>	<b>Required Action:</b>	<b>Data To Be Submitted for Prong 1:</b>	<b>Data To Be Submitted for Prong 2:</b>
Student # 2: Student IEP is missing motor and sensory strengths and needs in the present levels of performance.	Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance. <b>Activity/Procedure:</b> Training will be provided to SDSBVI in the area of IEP content.	The agency must review and provide a written statement of their current policy/procedure and practice regarding this issue.	The agency will collect and submit to SEP the following data:  1. New Meeting Notice 2. New IEP 3. New Prior Notice
		<b>Timeline for Completion:</b> <b>April 30, 2013</b>	<b>Timeline for Completion:</b> <b>May 30, 2013</b>

**ARSD: 24:05:27:01.03. Content of individualized education program.** Each student's individualized education program shall include:

(8) Beginning not later than the first IEP to be in effect when the student turns 16, or younger if determined appropriate by the IEP team, and updated annually thereafter, the IEP shall include:

(a) Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, if appropriate, independent living skills; and

(b) The transition services (including courses of study) needed to assist the student in reaching those goals

**Corrective Action:**

Through a review of student records and interview, the monitoring team noted that the student's IEP did not reflect a complete transition course of study.			
Student:	Required Action:	Data To Be Submitted for Prong 1:	Data To Be Submitted for Prong 2:
Student # 3: Student IEP is missing a complete transition course of study.	Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance. <b>Activity/Procedure:</b> Training will be provided to SDSBVI in the transition.	The agency must review and provide a written statement of their current policy/procedure and practice regarding this issue.	The agency will collect and submit to SEP the following data:  1. New Meeting Notice 2. New IEP 3. New Prior Notice
		<b>Timeline for Completion:</b> April 30, 2013	<b>Timeline for Completion:</b> May 30, 2013

**Prong 1:** Data submitted will be used to verify correction of each individual case of noncompliance.

**Prong 2:** Correctly implement the specific regulatory requirements (i.e. achieved 100% compliance), based on the SEA's review of updated data.

Verification of correctly implemented policy/procedure/practice identified in Prong 1.

**Target Date for Completion:**

**Date - Status Report:**